

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2005-190-C - ORDER NO. 2005-384

JULY 22, 2005

IN RE: Petition of BellSouth Telecommunications,) ORDER REVERSING
Inc. for Review of NXX Code Denials in the) NANPA DECISIONS
Columbia Rate Center)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Petition for Review of the denial by the North American Numbering Plan Administration (NANPA) of BellSouth Telecommunications, Inc.'s (BellSouth's or the Company's) applications for use of central office code numbering resources in the 803 area code.

The Federal Communications Commission (FCC) has set a "rate center" basis for determining the need for new numbering resources. Under FCC rules, carriers must establish that existing inventory within the carrier's rate center will be exhausted within six months of their code application (months-to-exhaust or MTE), and the carriers formerly had to meet a rate center utilization threshold of 60 percent in order to receive additional numbering resources. The utilization threshold has increased by five percent per year, and it has now reached the maximum of 75 percent.

On or about March 15, 2005, according to BellSouth, the Company submitted two Pooling Administration System requests to NANPA and NeuStar; one for the assignment of two NXXs for The State of South Carolina Budget and Control Board and one for the assignment of one NXX for Blue Cross Blue Shield of South Carolina, both in the

Columbia, South Carolina exchange. With regard to the first request, according to BellSouth, the two NXXs are needed to meet the numbering demands of the Budget and Control Board, since it is requesting PRI numbers that terminated in the customer's PBX located on Broad River Road in Columbia. The Budget and Control Board has a five digit dialing plan, and wants the first NXX to end in 3 (XX3). Further, the Budget and Control Board is requesting a specific number range from a second NXX that ends with a two (XX2). The specific number range the customer is requesting is 803-XX2-8000/803-XX2-9999. As BellSouth does not have existing NXXs that meet either of the customer's requests, two new NXXs are needed for the Budget and Control Board, according to BellSouth. With regard to Blue Cross Blue Shield, an NXX is needed, according to BellSouth, because this customer is requesting a contiguous block of 10,000 telephone numbers to be delivered to its main location on Alpine Road in Columbia.

Thereafter, also on March 15, 2005, NANPA's Central Office Code Administration denied BellSouth's code requests because BellSouth had not met the rate center-based MTE criterion now set forth in the Central Office Code (NXX) Guidelines. The Company notes that NANPA denied BellSouth's code requests, despite the fact that BellSouth does not have adequate numbering resources needed to satisfy its customer's demands in the Columbia Rate Center.

BellSouth states that its inability to provide these important customers with the requested numbers prevents BellSouth from providing the quality of service these customers desire, need, and expect. BellSouth notes that if it is not assigned the NXX codes needed to meet the customers' request, BellSouth will be unable to provide

telecommunications services requested by the customers. Further, according to BellSouth, NANPA's refusal to grant numbering resources sufficient to meet the customers' needs is inconsistent with the FCC's position that "[u]nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources." FCC 00-429 at Paragraph 61.

According to BellSouth, both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. Prior to the FCC's Order and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under today's procedures, NANPA looks at MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief "if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362, Paragraph 64. In addition, the FCC has ruled that, "States...may grant requests for customers seeking contiguous block of numbers." Id.

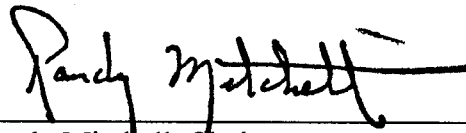
BellSouth therefore requests that this Commission reverse NANPA's decisions to withhold numbering resources from the Company on several grounds. First, BellSouth notes that NANPA's decision to withhold numbering resources from BellSouth interferes with BellSouth's ability to provide telecommunication services to its customers as required under South Carolina law. Second, BellSouth states that its request for numbering resources would not materially impact exhaustion of the remaining 92 available NXXs in the 803 area code. Lastly, BellSouth states that other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and Tennessee similarly have recognized their jurisdiction and authority to review NANPA denials and to order the release of number resources to BellSouth to meet customer needs. Specifically, BellSouth requests that this Commission reverse the decisions of NANPA denying BellSouth's requests for additional numbering resources and direct NANPA to provide the NXXs for the Columbia, South Carolina Rate Center.

We agree with BellSouth, and hereby reverse NANPA's decisions. We hold that BellSouth has demonstrated that it has received customer requests for numbering resources in a given rate center that BellSouth cannot meet with its current inventory. NANPA is hereby directed to approve BellSouth's code assignment requests originally submitted on or about March 15, 2005, for the new NXXs in the Columbia, South Carolina exchange as soon as possible for both the State of South Carolina Budget and Control Board and Blue Cross Blue Shield of South Carolina. We believe that the additional numbering resources are necessary to meet the legitimate demands of BellSouth's customers for telecommunications service. Further, it should be noted that

this requests would not materially impact exhaustion of the available NXXs in the 803 area code.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

A handwritten signature in black ink, appearing to read "Randy Mitchell", written over a horizontal line.

Randy Mitchell, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read "G. O'Neal Hamilton", written over a horizontal line.

G. O'Neal Hamilton, Vice-Chairman

(SEAL)